

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
NORTHERN DIVISION

| | | |
|--------------------------|---|----------------------------|
| ROGER SUTTER, |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| vs. |) | Cause No. 4:22-cv-960 |
| |) | |
| BRASSCRAFT MANUFACTURING |) | JURY TRIAL DEMANDED |
| COMPANY, |) | |
| |) | |
| Defendant. |) | |
| |) | |

NOTICE OF REMOVAL

Defendant BrassCraft Manufacturing Company (“BrassCraft”), by and through its attorneys, and for its Notice of Removal pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, states as follows:

Short and Plain Statement of Grounds for Removal

I. Background and Parties

1. BrassCraft is a defendant in this civil action, originally filed on or about August 12, 2022, in the Circuit Court of Marion County, Missouri, and served on BrassCraft on or about August 19, 2022.

2. Plaintiff seeks damages arising from the alleged failure of an unknown and unidentified gas appliance connector allegedly manufactured by BrassCraft. *See Petition*, ¶¶ 3, 5-6.

3. Plaintiff is a citizen of Missouri. *See Id.* ¶ 1.

4. BrassCraft is a citizen of Michigan. *See Id.* ¶ 2.

II. Basis for Removal

5. Complete diversity exists in this case.

6. The amount in controversy of plaintiff's claims exceeds the sum or value of \$75,000, exclusive of interest and costs. Plaintiff has alleged that the damages at issue in this matter are \$1,675,187.56. *Petition*, ¶¶ 7, 14, 21.

III. Conclusion

7. This action is a civil action over which this Court has original jurisdiction pursuant to 28 U.S.C. § 1332.

8. This Notice of Removal is timely pursuant to 28 U.S.C. § 1446(b) in that BrassCraft was served with the Petition on August 19, 2022, and this notice is filed within 30 days thereafter. This action is not more than one year old.

9. Pursuant to 28 U.S.C. § 1446(a) and Local Filing Instructions, copies of the summons and Petition, constituting all the process and pleadings in possession of BrassCraft in the state court action, and a copy of any pending pleadings or motions needing court action, are contained in the state court file, attached as Exhibit A.

10. BrassCraft hereby demands a trial by jury.

WHEREFORE, BrassCraft requests that this action be removed from the Circuit Court for Marion County, Missouri to the Eastern District of Missouri for all purposes.

ARMSTRONG TEASDALE LLP

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ATTORNEYS FOR DEFENDANT
BRASSCRAFT MANUFACTURING
COMPANY

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent via first class mail, postage prepaid, on this 13th day of September, 2022 to:

Johnathon Brereton-Hubbard
Law Office of Pamela W. Brown
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St. Louis, MO 63127
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/s/ Christopher D. Baucom